1 2 3 4 5 6	Joseph H. Harrin Acting United S Eastern District Russell E. Smoo Assistant United Post Office Box Spokane, WA 99 Telephone: (509	tates Attorney of Washington ot States Attorney 1494 9210-1494			
7 8	UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WASHINGTON				
9 10	UNITED STAT	TES OF AMERICA,			
11 12		Plaintiff,	Case No.: 2:21-CR-00074-RMP		
13 14	v. MICHAEL J. BERCIER,		Motion for Detention		
15	Defendant.				
16 17	The United States moves for pretrial detention of Defendant, pursuant to 18				
18	U.S.C. § 3142(e) and (f).				
19 20	1. <u>Eligibility of Case</u> . This case is eligible for a detention order because				
21	the case involves (check one or more):				
22 23	☐ Crime of violence (as defined in 18 U.S.C. § 3156(a)(4) which				
24	includes any felony under Chapter 109A, 110 and 117);				
25 26	☐ Maximum penalty of life imprisonment or death;				
27 28	☐ Drug offense with maximum penalty of 10 years or more;				
	Motion for Detention- 1				

Document1

1		reiony, with two prior convictions in above categories;	
2 3		Felony that involves a minor victim or that involves the possession or	
4	use of a firearm or destructive device as those terms are defined in 18 U.S.C.		
5			
6	§ 921, or any other dangerous weapon, or involves a failure to register under 18		
7	U.S.C. § 2250;		
8 9	\boxtimes	Serious risk Defendant will flee; or	
10		Serious risk obstruction of justice.	
11	2. <u>Reason for Detention</u> . The Court should detain Defendant because		
12 13	there is no condition or combination of conditions which will reasonably assure		
14			
15	(check one or both):		
16		Defendant's appearance as required; or	
17 18		Safety of any other person and the community.	
19	3.	Rebuttable Presumption. The United States will invoke the rebuttable	
20 21	presumption against Defendant under 18 U.S.C. § 3142(e). The presumption		
22	applies because there is probable cause to believe Defendant committed:		
23		Drug offense with maximum penalty of 10 years or more;	
24 25		An offense under 18 U.S.C. §§ 924(c), 956(a), or 2332b;	
26 27		An offense under 18 U.S.C. §§ 2332b (g)(5)(B) for which a	
28	maximum term of imprisonment of 10 years or more is prescribed;		
	Motion for Detention- 2		

Document1

1		An offense under chapter 77 of Titl	e 18, United States Code, for	
2	which a maximum term of imprisonment of 20 years or more is prescribed;			
3		A CC i 1iii	: 1 10 II C C	
4		An offense involving a minor vict	im under 18 U.S.C. §§ 1201, 1391,	
5	2241, 2242, 2244(a)(1), 2245, 2251, 2251A, 2252(a)(1), 2252(a)(2), 2252(a)(52(a)(1), 2252(a)(2), 2252(a)(3),	
7	2252A(a)(1), 2252A(a)(2), 2252A(a)(3), 2252A(a)(4), 2260, 2421, 2422, 2423, or			
8	2425;			
9				
10		Other Circumstance as defined in 1	8 U.S.C. § 3142(e)(2).	
11	4.	Time for Detention Hearing. The U	Jnited States requests the Court	
12	and the detention bearing.			
13	conduct the detention hearing:			
14		At the first appearance, or		
15		After a continuance of three days.		
16		Titles a continuance of three days.		
17	5.	Other Matters.		
18 19	Dated: June 11, 2021.			
		7	1 11 11 '	
20 21			eph H. Harrington ting United States Attorney	
22			5	
23		s/ F	Russell E. Smoot	
24			ssell E. Smoot	
25		Ass	sistant United States Attorney	
26				
27				
28				